

April 23, 2018

Mr. Henry Leskinen
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Royal Farms Store #302
Forest Buffer Variance
Tracking # 01-18-2698

Dear Mr. Leskinen:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains, was received by this Department of Environmental Protection and Sustainability (EPS) on April 11, 2018. If granted, the variance would allow the applicant to forego establishment and recordation of a Forest Buffer Easement and allow approximately 6,709 square feet (sf) of previously developed forest buffer area, including 3,006 sf of 100-year floodplain, to be redeveloped into a 1.2-acre Royal Farms convenience store and gas station facility.

The majority of the development site is already existing impervious surface, as the property is currently functioning as an auto repair shop and a liquor store. The floodplain boundary and associated forest buffer cross the southwestern corner of the site. This floodplain is associated with an unnamed Use I tributary to Patapsco River that exists across Harlem Lane from the redevelopment site. The 6,709 sf of forest buffer located on the property, including the 3,006 sf of floodplain, are already covered by impervious surface. The redevelopment of this site is unlikely to drastically alter the existing floodplain or impact forest buffer, particularly since much of the surrounding area has also long been commercially developed. The property is accessed from Harlem Lane, which is within the forest buffer between the redevelopment site and the stream. As a result, there is no way to access the property from Harlem Lane without impacting the forest buffer and floodplain.

This Department has reviewed your request and has determined that a practical difficulty exists in establishing the Forest Buffer Easement and avoiding impacts thereto by the proposed redevelopment. No wetlands, streams, or forest will be impacted by the redevelopment, and the buffer area has already been heavily impacted by development. Additionally, the redevelopment will provide water quality management devices to treat heretofore unmanaged runoff from the site and ultimately reduce impervious surface on the property by 0.2 acre, thus further improving water quality.

Mr. Henry Leskinen
Royal Farms Store #302
Forest Buffer Variance
April 23, 2018
Page 2

Therefore, we will grant this request in accordance with Section 33-3-106(a)(1) of the Baltimore County Code, with the following conditions:

1. The following note must appear on all subsequent plans submitted for this project:
 - “A variance was granted on April 23, 2018, by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to forego establishment of the required Forest Buffer Easement over previously developed land. The development shown hereon reflects the fact that this variance was granted. Conditions were placed on this variance to reduce impacts to water quality.”
2. The redevelopment shall reduce impervious surface area by at least 0.2 acre as proposed by the applicant.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout will require submittal of revised plans and a new variance request.

Please have the owner/developer sign the statement on the following page as the party responsible for meeting the conditions of this variance and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Libby Errickson at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

DVL/lbe

c. Mr. Thomas Sheckells, Morris & Ritchie Associates, Inc.

Mr. Henry Leskinen
Royal Farms Store #302
Forest Buffer Variance
April 23, 2018
Page 3

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Owner/Developer's Signature

Date

Printed Name